

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

JASON WHETSTINE,

Plaintiff,

vs.

KILOLO KIJAKAZI, Acting
Commissioner of Social Security,

Defendant.

CV 19–84–M–DLC

ORDER

Before the Court is Plaintiff Jason Whetstine’s motion for an award of attorneys’ fees, pursuant to 42 U.S.C. § 406(b). (Doc. 25.) On April 28, 2020, this Court reversed the Commissioner’s decision denying Whetstine’s application for benefits and remanded for additional agency proceedings. (Doc. 21.) On July 6, 2020, the Court awarded Whetstine \$7,100.00 in attorneys’ fees. (Doc. 24.)¹ On remand, the Commissioner awarded Whetstine past-due Title II benefits from March 2017. (Doc. 25 at 2.) Of the total amount awarded, \$18,129.25 has been withheld pending approval of attorneys’ fees. (*Id.*) Having reviewed Whetstine’s submissions (Doc. 25), the Court finds this amount to constitute a reasonable award of attorneys’ fees. *See Gisbrecht v. Barnhart*, 535 U.S. 789, 808 (2002).

¹ Because of a government debt owed by Whetstine, his counsel only received \$3,936.00. (Doc. 25 at 2.)

Accordingly, IT IS ORDERED the motion (Doc. 25) is GRANTED. This Order shall serve as official approval of attorney Andrew T. Koenig's fees in the amount of \$18,129.25.

IT IS FURTHER ORDERED that, upon receipt of such fees, Mr. Koenig shall reimburse Whetstine in the amount of \$3,936.00, representing fees Mr. Koenig has already actually received.

DATED this 15th day of June, 2022.



Dana L. Christensen, District Judge
United States District Court